

**TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
October 13, 2020**

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, October 13, 2020 virtually via Zoom Link. Mayor Royce Pindell called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darwin Harrell - *excused*
Whitney Oakley
Rich Pulliam
Denice Smith
Donna Sus
Larry Vittum

Staff Present: Trish Stiles, *Town Administrator*
Rachel Summers, *Deputy Town Administrator*
Alison Belcher, *Public Relations Coordinator*
Sara Aragon, *Community Development Coordinator*
Deb Merkle, *Community Development Manager*
Dan Giroux, *Town Engineer*
Daymon Johnson, *Capital Improvements Project Director*
Steve Hebert, *Planning and Economic Development Manager*
Lynette White, *Economic Development Coordinator*
Melinda Culley, *Kelly P.C., Town Attorney*
Christina Hart, *Town Clerk*

Public Present: Harvey Deutsch, Steve O'Dosorio, Emma Pinter, Kathy Smiley

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

3. APPROVAL OF AGENDA

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the agenda presented. The voting was as follows:

YES: Oakley, Pindell, Pulliam, Smith, Sus, Vittum

NO: None

EXCUSED: Harrell

Mayor Royce Pindell declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the consent agenda as presented.

YES: Pindell, Pulliam, Smith, Sus, Vittum, Oakley

NO: None

EXCUSED: Harrell

Mayor Royce Pindell declared the motion carried by unanimous vote.

A. Approval of Minutes

Action: Approval of September 22, 2020 Regular Meeting Minutes.

Action: Approval of September 28, 2020 Special Meeting Minutes.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments.

5. REGULAR BUSINESS

A. Action/Discussion Items

1. 2020 Vision for Adams County – Support for Ballot Initiatives 1A and 1B

Royce D. Pindell, Mayor, introduced the 2020 Vision for Adams County Support for Ballot Initiatives 1A and 1B. Mayor Pindell welcomed Adams County Commissioner Steve O'Dorisio and Adams County Commissioner Emma Pinter to the Town of Bennett Board Meeting.

Mayor Pindell reported to the Trustees that the two November 3rd, 2020 ballot initiatives 1A and 1B are in support the countywide open space, infrastructure development tax. The taxes are an extension thereof.

Commissioner Chair Emma Pinter reported to the Board of Trustees that initiatives 1A and 1B are an extension of a measure was originally passed by the voters in 1999. The initiatives would continue to provide resources, without raising taxes. The extension of initiatives 1A and 1B will continue to help fund:

- Preserve land that protects water quality
- Maintain and improve roads and bridges
- Protect wetlands, rivers, and streams
- Maintain and improve parks
- Protect open space in the communities
- Create, improve and maintain parks and trails

- Ensure revenues among the County and incorporated cities and towns for maintaining, improving, and building roads and bridges.

Commissioner O'Dorisio reported the Adams County Open Space program has reinvested \$4 million back into the Town of Bennett since 2000. Some of the improvements include:

- Trupp Park
- Bennett Community Center
- Brothers Four Park
- Bennett Park and Recreation District
- Bennett Elementary School Ground
- Corridor Veterans Memorial

Commissioner O'Dorisio reported these share back initiatives will continue to improve the quality of life for the communities. The revenue also provides resources to fund new buildings i.e.: animal shelter.

Trish Stiles, Town Administrator addressed Trustee Oakley's question about allocation of road and bridge funds. Ms. Stiles reported the Adams County allocation assists with crack sealing, snow plow operations, dedication for specific staff maintaining roads.

Trustee Pulliam expressed gratitude to the Commissioners with continued increased focus on Eastern Adams County specifically the roads.

TRUSTEE PULLIAM MOVED, TRUSTEE SUS SECONDED, to approve Resolution No. 844-20 – A Resolution in Support of Adams County Ballot Issues 1A and 1B to Extend a Countywide Open Space Tax and an Infrastructure Development Sales Tax. Voting was as follows:

YES: Pulliam, Smith, Sus, Vittum, Oakley, Pindell

NO: None

EXCUSED: Harrell

Mayor Royce Pindell declared the motion passed by unanimous vote.

2. Bennett Ranch Subdivision Agreement Filing No. 1

Steve Hebert, Planning and Economic Development Manager, reported to the Trustees, Bennett Ranch would like to enter into a subdivision agreement with the Town of Bennett. The subdivider agrees and obligates the subdivider to design, install pay for and guarantee streets, utilities, drainage improvements and other infrastructure needed to support subdivision developments.

The Bennett Ranch Subdivision Agreement includes but is not limited to:

- Identification of the subdividers
- Construction standards, phasing plan and deadlines
- Conditional acceptance of improvements
- Maintenance and warranty of improvements
- Final acceptance
- Financing and improvement guarantees i.e.: Letter of Credit from subdivider
- Public land dedication

The agreement also addresses the following improvement to be installed by the developer or home builder:

- School District-Damron Sanitary Sewer Main
- Converse Road Pump House Upgrades
- State Highway 79 Water Main Crossing
- Non-Potable Water Storage, Pumping and Delivery System
- East 38th Avenue Storm water Main and Outfall
- Morgan Way Extension to Palmer Avenue
- Morgan Way – Washington Way Intersection Improvements
- East 38th Avenue – State Highway 79 Intersection Improvements

TRUSTEE PULLIAM MOVED, TRUSTEE SMITH SECONDED, to approve Resolution No. 847-20 – A Resolution approving a subdivision agreement for Bennett Ranch Filing No. 1. Voting was as follows:

YES: Smith, Sus, Oakley, Pindell, Pulliam, Vittum

NO: None

EXCUSED: Harrell

Mayor Royce Pindell declared the motion passed by unanimous vote.

3. Extension of the Time for Recording the Final Plat and Final Development Plan for Muegge Farms Filing No. 4

Steve Hebert, Planning and Economic Development Manager, reported to the Board of Trustees the Town of Bennett has received a request to waive the provision in Sections 16-2-350 and 16-4-380 of the Bennett Municipal Code requiring a final development plan and final plat shall expire if not recorded within 180 day of approval.

The Board of Trustees approved the Muegge Farms Filing No. 4 final plat and final development plan on March 10, 2020.

Town Staff, the landowner, master developer and two different home builders have been negotiating the subdivision agreement. The private parties have also been finalizing negotiations of the various contracts.

Staff is recommending an extension of time to record the final plat and final development plan until December 31, 2020.

TRUSTEE PULLIAM MOVED, TRUSTEE SMITH SECONDED approve Resolution No. 846-20 – A Resolution Approving an Extension of the Time for Recording the Final Plat and Final Development Plan for Muegge Farms Filing No. 4. Voting was as follows:

YES: Sus, Vittum, Oakley, Pindell, Pulliam, Smith

NO: None

EXCUSED: Harrell

Mayor Royce Pindell declared the motion passed by unanimous vote.

4. Intergovernmental Agreement Between Colorado Department of Transportation and Town of Bennett Concerning the Kiowa-Bennett Road: US 36 to Mississippi

Dan Giroux, Town Engineer, reported to the Board of Trustees the Town has been selected to receive a Highway Safety Improvement (HSIP) grant in the amount of \$450,000.00 for the design and construction of improvements to the Kiowa-Bennett Road from US 36 to Mississippi Avenue.

To implement the grant an intergovernmental agreement (IGA) has been proposed between the Town of Bennett and State of Colorado. The Colorado Department of Transportation requires local matching funds in the amount of \$50,000.00.

TRUSTEE PULLIAM MOVED, TRUSTEE SMITH SECONDED to approve Resolution No. 845-20 – A Resolution Approving an Intergovernmental Agreement between the Colorado Department of Transportation and Town of Bennett Concerning the Kiowa-Bennett Road: US 36 to Mississippi. Voting was as follows:

YES:	Vittum, Oakley, Pindell, Pulliam, Smith, Sus
NO:	None
EXCUSED:	Harrell

Mayor Royce Pindell declared the motion passed by unanimous vote.

6. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator provided the following report;

- REVIVE: Residential Vibrancy Initiative; Ms. Stiles introduced a new façade improvement project to the Town Board. The initiative will enhance, create and maintain a charming, safe, code compliant and welcoming neighborhood in the limits of the Town of Bennett.
 - Ms. Stiles recommended allocating \$25,000 from the general fund to the grant program to begin offering the incentive as soon as possible. The Town's reimbursement will not exceed \$2,500 per residence. The grant requires the recipient invest in at least 10% towards the improvement efforts. An additional allocation will be added to the 2021 budget.

TRUSTEE PULLIAM MOVED, TRUSTEE SMITH SECONDED to approve the Residential Vibrancy Initiative program as presented with the initial funding of \$25,000.00 to come out of the General Fund. Voting was as follows:

YES:	Oakley, Pindell, Pulliam, Smith, Sus, Vittum
NO:	None
EXCUSED:	Harrell

- Staff is working on a roadmap of the comprehensive plan
- Continues to attend (virtually) Tri-County Health meetings for updates on COVID-19 at 12:30 every Thursday afternoon.
- Special Meeting on October 20, 2020 at 5:45 p.m.
- Trustee Vittum will attend DRCOG (virtually) with Ms. Stiles.
- Living Springs expansion ribbon cutting slated for November 1st. Masks required for those attending the ceremony.

7. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Royce Pindell

Mayor Pindell reported on the following;

- Attending Tri-County Health calls regarding COVID-19. The numbers of cases are rising.

Mayor Pindell requested a recess at 8:26 p.m. The meeting came back into session at 8:35 p.m.

8. EXECUTIVE SESSION

To discuss personnel matters (Except if the employee who is the subject of the session has requested an open meeting or if the personnel matter involved more than one employee, and all of the employees have requested an open meeting). Personnel matters does not include discussion of other council members, or appointment of elected or appointed officials or the Town's personnel policies under C.R.S. 24-6-402(4)(f); Amending Town Administrator Objectives.

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to go into executive session for: To discuss personnel matters (Except if the employee who is the subject of the session has requested an open meeting or if the personnel matter involved more than one employee, and all of the employees have requested an open meeting). Personnel matters does not include discussion of other council members, or appointment of elected or appointed officials or the Town's personnel policies under C.R.S. 24-6-402(4)(f); Amending Town Administrator Objectives.

YES: Pindell, Pulliam, Smith, Sus, Vittum, Oakley

NO: None

EXCUSED: Harrell

The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 8:37 p.m.

The Board came out of executive session at 8:51 p.m. The Mayor announced that the Board had been in executive session and the following persons participated virtually in that session: Royce Pindell, Trish Stiles, Trustee Oakley, Trustee Pulliam, Christina Hart, Trustee Sus, Trustee Smith, and Trustee Vittum. The Mayor asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concerns be stated for the record. No concerns were presented.

The Board of Trustees resumed the open meeting at 8:53 p.m.

9. REPORT FROM EXECUTIVE SESSION

Trish Stiles, Town Administrator, has received direction from the Board of Trustees in regards to personnel matters.

10. ADJOURNMENT

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to adjourn the meeting. The meeting was adjourned at 9.03 p.m. Voting was as follows:

YES: Pulliam, Smith, Sus, Vittum, Oakley, Pindell

NO: None

EXCUSED: Harrell

The Mayor declared the motion carried by unanimous vote.



Royce D. Pindell, Mayor



Christina Hart
Town Clerk